

EPA Region III

Office of Public Affairs

EARLY BIRD HEADLINES

Friday, March 23, 2012

*** MORNING HOT LIST ***

Editorial: Better air: Controls and enforcement add up to compliance

PITTSBURGH POST GAZETTE A lot of things about Pittsburgh are worth celebrating these days. Downtown keeps getting better. The North Shore is developing and the South Side is full of vitality. The cost of owning a home is relatively low. Now, look up and breathe in more good news. The region is in attainment of the federal air quality standard for fine-particle pollution for the first time in more than a decade. That's according to the Allegheny County Health Department, which said that all eight of its fine particle monitors registered annual averages in 2011 that were below the federal standard. Compliance is determined by a three-year average, in this case 2009-2011. Jim Thompson, the county's air quality program manager, boasted that the local air "is the best it has been since the Industrial Revolution began more than 100 years ago." May it continue for another hundred. The readings were no fluke, but the result of planned, costly improvements at U.S. Steel's Clairton Coke Works and better operations after county enforcement actions at the Shenango Coke Works on Neville Island. Another factor was lower emissions from upwind out-of-state power plants. The good news will only get better as additional controls are installed at the Clairton plant. As the air continues to improve, the region can breathe easy.

EPA's Jackson Concerned Over Cuts in Republican Budget Plan

BNA DAILY ENVIRONMENT REPORT EPA Administrator Jackson tells a Senate hearing she would be "very concerned" about the agency's ability to protect human health under the fiscal year 2013 budget proposed by House Budget Committee Chairman Ryan. Appearing before the Environment and Public Works Committee, Jackson says that although EPA has not yet done a full analysis of the Ryan budget, the agency already has taken "painful cuts" in President Obama's fiscal 2013 budget request. The \$3.53 trillion Ryan budget includes significant cuts, including an approximately \$3.5 billion reduction in spending on environment and natural resources programs.

Pa. ranks seventh in the nation for total toxins released into waterways

PITTSBURGH POST GAZETTE Forty years ago the federal Clean Water Act set a goal to make all of America's rivers, streams, lakes and estuaries "fishable and swimmable" by 1983, but that didn't happen and a new report shows some of the nation's biggest water pollution problems are stubbornly persistent and are found throughout Pennsylvania and surrounding states. According to the report released in Pittsburgh today by the PennEnvironment Research and Policy Center, 226 million pounds of toxic chemicals were discharged and dumped into the nation's waterways in 2010, fouling 14,000 miles of rivers and streams and more than 220,000 acres of lakes, ponds and estuaries. Some of the region's best-known rivers were among the biggest recipients of the toxic chemical discharges, said the report, which is based on discharge statistics submitted by industries to the

U.S. Environmental Protection Agency's Toxic Release Inventory. The Ohio River ranked first among the nation's waterways for total toxic discharges, with 31.1 million pounds, followed by the Mississippi River, the New River in North Carolina and Virginia, the Savannah River in Georgia and South Carolina, and the Delaware River in Pennsylvania, New Jersey and Delaware. The Monongahela River ranked seventeenth nationwide for total toxic discharges. The Ohio River also ranked third for reproductive toxicant discharges, fourth for cancer-causing discharges and fifth for developmental toxicants. West Virginia's waterways ranked first in the amount of developmental toxins discharged and second in reproductive toxics, with the Kanawha River ranked first in the nation for the amount of reproductive toxics discharged and second for developmental toxicants.

Gas drilling needs to improve, Chesapeake official says

CHARLESTON GAZETTE CHARLESTON, W.Va. -- The natural gas industry needs to keep working to reduce the on-the-ground impacts of the Marcellus Shale drilling boom in West Virginia's Northern Panhandle, a top official from Chesapeake Energy said Thursday. "With natural gas, everybody likes the blue flame," Chesapeake vice president Scott Rotruck told a business conference in Charleston. "Making it can be problematic. Nobody likes that part. "I can tell you this: The sausage-making will get better and better and better." Rotruck was among the speakers at the close of a two-day conference the West Virginia Manufacturers Association sponsored to promote the prospect of landing a cracker plant and "downstream" facilities that would turn natural gas wastes into marketable products. West Virginia political leaders and business boosters continue to push the idea, despite last week's announcement that Shell Chemical had picked a site in western Pennsylvania for further study as a potential cracker plant location. Rotruck said he believes Gov. Earl Ray Tomblin and other state officials did everything they could to land the Shell facility, and that West Virginia is well positioned to secure one of several other similar projects being considered by other companies. Oklahoma City-based Chesapeake itself has had an up-and-down relationship with West Virginia. Four years ago, the company dropped plans for an eastern regional headquarters in Charleston after a Roane County jury awarded \$400 million to land and mineral owners who sued alleging Chesapeake cheated them on gas royalties. Some state officials worried their efforts to land a cracker plant would be harmed by Chesapeake's agreement last year to a long-term contract to ship ethane from its wells to the Texas Gulf Coast.

O'Malley scales back environmental initiative

WASHINGTON POST Maryland Gov. Martin O'Malley scaled back one of his key environmental initiatives on Thursday as lawmakers said it became clear his controversial plan to curb sprawl faced an uncertain future with less than three weeks remaining in the General Assembly session. O'Malley (D) had proposed giving the state power to override some local zoning decisions over new housing developments that rely on septic systems. The governor had said the state needed the authority to ensure it could reduce the waste that leaches from the developments and pollutes the Chesapeake Bay. The governor's plan, however, became a touchstone in a legislative session marked by power struggles between the state and counties over autonomy in school funding, teacher pension costs and development decisions. On Thursday, O'Malley's Cabinet secretaries for environment, planning and natural resources told a Senate committee they would support stripping out provisions that would have given final authority to the state to decide whether counties were abiding by master plan guidelines. The retreat marked the second time in two years that O'Malley had weakened the proposal to try to win approval from the state legislature, which is controlled by Democrats.

EPA says considering gasoline waiver in Pennsylvania

REUTERS The Environmental Protection Agency is mulling waiving clean gasoline requirements in western Pennsylvania to help ease a potential fuel shortage caused by the closure of two area refineries, an agency source said on Thursday. The agency is working with Pennsylvania and the Department of Energy on potential waivers if they are needed and if the state asks for them, the source said. Pennsylvania has not yet officially asked for the waiver. But Gov. Tom Corbett may do so in the summer, according to a letter from the state's Department of Environmental Protection head Michael Krancer to the EPA and obtained by Reuters. The letter was dated March 20. The EPA has discussed with state regulators allowing the use of reformulated gasoline, or RFG, in western

Pennsylvania in place of low Reid Vapor Pressure gasoline, which is in short supply after the closure of two of three Philadelphia-area refineries area last year, the letter showed. "Our flexibility to use low RVP gasoline and/or RFG will go a long way ... and would serve the best interests of the citizens of western Pennsylvania," said Krancer's letter. On Friday, U.S. Senator Bob Casey of Pennsylvania asked the EPA to consider granting a temporary waiver for Pennsylvania for summer blend gasoline requirements, which would ease supply constraints and moderate sky rocketing retail gasoline prices.

Ag. chief hopefuls: Feds threaten W.Va. farms

ASSOCIATED PRESS MORGANTOWN, W.Va. -- Seven candidates who want to be the first new commissioner of agriculture in two decades agreed at a forum Thursday on the biggest threats facing the state's small industry: overregulation by federal agencies, the loss of future generations of farmers and the need to grow bigger, more lucrative markets for West Virginia products. Five Democrats are on the ballot for the May 8 primary, one of the few contested statewide races. ... All the candidates rated the U.S. Environmental Protection Agency as a top threat, increasingly using provisions of the Clean Water Act to crack down on agricultural pollution. Last fall, it ordered four farms to stop polluting local streams and obtain discharge permits. Three were in the Hardy County towns of Moorefield, Mathias and Old Fields, while the fourth was in Pendleton County's Fort Seybert.

Editorial: Supreme Court rules 9-0 against the EPA

CHARLESTON DAILY MAIL Mike and Chantell Sackett paid \$23,000 in 2005 for a 0.63-acre lot near Priest Lake in Idaho's panhandle. Their dream was to build a home on the land. The U.S. Environmental Protection Agency turned their dream into a nightmare in 2007. Someone in the bureaucracy ruled that the land was a wetland and the Sacketts must not build the home of their dreams. They faced fines of up to \$75,000 a day under the Clean Water Act. The EPA allowed no appeal, taking the position that its orders are not open to judicial review until the agency takes final action. And when the Sacketts took the EPA to court, the agency fought back. The 9th Circuit Court of Appeals sided with the EPA. The Sacketts appealed. This week, the U.S. Supreme Court voted unanimously to uphold the Constitution, giving American property owners some slight protection from EPA employees. "There is no reason to think that the Clean Water Act was uniquely designed to enable the strong-arming of regulated parties into 'voluntary compliance' without the opportunity for review — even judicial review — of the question (of) whether the regulated party is within the EPA's jurisdiction," Justice Antonin Scalia wrote. "The reach of the Clean Water Act is notoriously unclear," Justice Sam Alito wrote in a concurring opinion. "Any piece of land that is wet at least part of the year is in danger of being classified by EPA employees as wetlands covered by the act, and according to the federal government, if property owners begin to construct a home on a lot that the agency thinks possesses the requisite wetness, the property owners are at the agency's mercy."

Report: Toxic chemicals flowing into Va. waters

ASSOCIATED PRESS DUBLIN -- An environmental group says Virginia is second only to Indiana in the amount of toxic chemicals dumped in state waterways. Environment Virginia released a report showing that more than 18 million pounds of toxic chemicals were released into state lakes, rivers and streams in 2010, the latest numbers available. The group based Thursday's report on toxic chemical releases tallied by the Environmental Protection Agency. Environment Virginia said the New River tops every other waterway in the state, with 12 million pounds of pollution entering the river annually. The group said most of that is from the Radford Army Ammunition Plant in Dublin. More than 1.1 million pounds were discharged into the James River and more than 370,000 pounds were dumped into the Shenandoah River.

Environmental group promotes another misleading image on report of river pollution

HARRISBURG PATRIOT NEWS Things aren't always as they seem in the environmental movement. "Pennsylvania's waterways are a polluter's paradise right now," according to Erika Staaf at the environmental group PennEnvironment. Staaf was promoting a new report Thursday that claims industrial facilities dumped more than 10 million pounds of toxic chemicals into Pennsylvania's streams and rivers, making the state the seventh worst in the nation. What Staaf didn't explicitly say was the "dumping" was regulated, permitted and legal. The report is based on emissions reported to the U.S. Environmental Protection Agency's Toxics Release Inventory. There's more. The cover of the report features a striking image of a pipe spewing sludge into turbid water. The subtitle reads: "Toxic Industrial Pollution." Except it's not. It's sewage. And it's not spewing into a river. It is in reality a supply pipe emptying into a treatment plant. And it probably isn't even in Pennsylvania. The image comes from a stock photo website, Shutterstock, which also offers a wider view of the same pipe clearly showing it emptying into what experts say is a sewage treatment facility.

PENNSYLVANIA

PHILADELPHIA INQUIRER

Bucks County preserves 150th farm in its preservation program Bucks County, with a history rooted in its rich agricultural soil, has reached a milestone, protecting the 150th farm under its preservation program. "We reached 100 farms in 2007, and now we've preserved 50 in the past four years," Richard Harvey, director of the county's Agricultural Land Preservation Program, said Thursday. The program was started in 1989 to slow the loss of prime agricultural land. In 1960, there were 4,069 farms covering 395,000 acres, according to the county's comprehensive plan. By 2007, those numbers had dropped to 934 farms and 76,000 acres. The program has preserved 12,744 acres, including the 150th farm, the 135-acre Bowman property in Bedminster Township. On Wednesday, county commissioners unanimously approved a \$608,260 payment for a conservation easement on the farm.

Environmental groups sue over new rule in NJ More than two dozen environmental and labor groups filed suit Thursday in New Jersey Superior Court, challenging a rule that would allow developers to seek waivers from environmental rules. Gov. Christie adopted and signed the rule earlier this month. Department of Environmental Protection Commissioner Bob Martin said "a lack of flexibility can sometimes produce unreasonable, unfair, or unintended results that actually undermine the goal" of regulations. Applicants would have to show that conflicting rules among agencies adversely affect a project, that a net environmental benefit would be achieved if the rule were waived, or that an undue hardship exists. However, environmental groups called it one of the worst rules ever adopted in New Jersey. It "is so vague and open-ended it will allow for abuse and political pressure from developers and polluters," said Jeff Tittel, director of the New Jersey Sierra Club. Other groups joining the suit, which Tittel said sought an injunction, include the American Littoral Society, Clean Ocean Action, Delaware Riverkeeper Network, Environment New Jersey, New Jersey Audubon Society, Save Barnegat Bay, Teamsters 877, and United Steelworkers.

PITTSBURGH POST-GAZETTE

Better air: Controls and enforcement add up to compliance A lot of things about Pittsburgh are worth celebrating these days. Downtown keeps getting better. The North Shore is developing and the South Side is full of vitality. The cost of owning a home is relatively low. Now, look up and breathe in more good news. The region is in attainment of the federal air quality standard for fine-particle pollution for the first time in more than a decade. That's according to the Allegheny County Health Department, which said that all eight of its fine particle monitors registered annual averages in 2011 that were below the federal standard. Compliance is determined by a three-year average, in this case 2009-2011. Jim Thompson, the county's air quality program manager, boasted that the local air "is the best it has been since the Industrial Revolution began more than 100 years ago." May it continue for another hundred. The readings were no fluke, but the result of planned, costly improvements at U.S. Steel's Clairton Coke Works and better operations after county enforcement actions at the Shenango Coke Works on Neville Island. Another factor

was lower emissions from upwind out-of-state power plants. The good news will only get better as additional controls are installed at the Clairton plant. As the air continues to improve, the region can breathe easy.

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Midstream' conference predicts greater reach for CNG vehicles, Utica Shale Rig counts continue to rise and recent announcements signal a burgeoning regional petrochemical market, but industry experts Wednesday polished their crystal balls and said the effects of Marcellus Shale developments will trickle down to the everyday consumer in the form of cars powered by natural gas. That was the pervasive message of the closing panel at the Marcellus Midstream conference, an annual get-together of the processors and handlers trying to get the gas extracted from the Marcellus Shale into the pipelines and stations that take it to market. More than 1,800 "midstreamers" streamed into the David L. Lawrence Convention Center for the event, which was presented by Dallas-based energy publisher Hart Energy. Looking ahead five years, George Stark, the director of external affairs at Houston, Texas-based Cabot Oil and Gas, said the "low-hanging fruit" of gas development is building infrastructure to support vehicles that run on compressed natural gas, or CNG. His company is building a CNG plant in Susquehanna County, and several have been built by other firms in the Pittsburgh region.

South Fayette authorizes lawsuit against state Marcellus law South Fayette commissioners voted 5-0 Wednesday night (3/21) to participate in a multi-municipal lawsuit against the state's Marcellus Shale law. The board authorized their solicitor to file a legal challenge against Act 13, work cooperatively with other municipalities and "engage appropriate experts." Attorney John Arminas said participation means South Fayette will proceed with litigation in an attempt to invalidate the law, in cooperation with Peters, Robinson and Cecil townships in Washington County. Mr. Arminas said he was unable to estimate legal fees, but he anticipated an initial share of \$2,500 to hire experts.

PITTSBURGH TRIBUNE REVIEW

Westmoreland County asked to use impact fees to protect public health Marcellus shale drilling opponents on Thursday asked Westmoreland County commissioners to consider using impact-fee revenues to protect public health and the environment. Earlier this month, commissioners unanimously voted to impose impact fees that are expected to initially apply to 191 wells that have been drilled in 13 municipalities throughout the county since 2004. Seven county residents attended yesterday's commissioners meeting at the courthouse in Greensburg to address the new revenue, expected to be about \$2 million to county government this year and another \$2 million for municipalities. "Do not spend this money because you may regret it down the road," said Ed Shutt of Mt. Pleasant Township. Others asked commissioners to allocate funds to pay for education programs for landowners about lease deals with drilling companies or suggested the money should be used to purchase air-quality monitors. "I encourage you to help us collect this data about our air," said Cynthia Walter of Hempfield. Mike Atherton of Hempfield asked commissioners to conduct business meetings during the evening so more public input could be solicited regarding how Marcellus

shale revenues should be spent. East Huntingdon resident Jan Kiefer, a spokesman for the drilling opponents, said the group plans to attend the next 10 county commissioner meetings to lobby for how the impact fees should be spent and to talk about the dangers of the drilling process. Commissioner Charles Anderson said no decisions have been reached on how the impact fees will be spent. The county is obligated under state law to spend a portion on road improvement projects and other infrastructure enhancements. But money the county already allocates to those projects could be used for other initiatives, he said.

South Buffalo planners give gas well thumbs-up South Buffalo Township's planning commission has recommended approval of a proposed Marcellus shale gas well off Foreman Road. MDS Energy of Kittanning wants to drill the vertical natural gas well directly behind Carson Industries. The company plans to add nitrogen gas to the water it uses to fracture the shale, which the company says will mean the operation will use far less water. The company expects to have its drilling and operation permits approved by the state Department of Environmental Protection within 30 days, said Randy Morris Jr., MDS vice president and chief engineer. The company expects to begin drilling by mid-July, following five to 10 days of preparing the well pad, he said. Once drilling begins, the process should be completed within a week. MDS plans to bore under Foreman Road to connect the well with an existing pipeline at a Snyder Brothers gas well on the Morrison Farm on nearby Sarver Road, according to Michael Knapp, president of Knapp Acquisitions and Production, a land leasing firm that works on behalf of MDS. Ben Claypool, whose home is about 500 feet from the well pad, said he doesn't believe he'll be bothered by all the activity.

HARRISBURGH PATRIOT NEWS

Environmental group promotes another misleading image on report of river pollution Things aren't always as they seem in the environmental movement. "Pennsylvania's waterways are a polluter's paradise right now," according to Erika Staaf at the environmental group PennEnvironment. Staaf was promoting a new report Thursday that claims industrial facilities dumped more than 10 million pounds of toxic chemicals into Pennsylvania's streams and rivers, making the state the seventh worst in the nation. What Staaf didn't explicitly say was the "dumping" was regulated, permitted and legal. The report is based on emissions reported to the U.S. Environmental Protection Agency's Toxics Release Inventory. There's more. The cover of the report features a striking image of a pipe spewing sludge into turbid water. The subtitle reads: "Toxic Industrial Pollution." Except it's not. It's sewage. And it's not spewing into a river. It is in reality a supply pipe emptying into a treatment plant. And it probably isn't even in Pennsylvania. The image comes from a stock photo website, Shutterstock, which also offers a wider view of the same pipe clearly showing it emptying into what experts say is a sewage treatment facility.

Bedbugs continue to bedevil Harrisburg School District An infestation of bedbugs at an area school is continuing to bedevil Harrisburg School District administrators. For the last several weeks the district has been battling the insects at Camp Curtin Elementary. "We have been doing everything we can to get rid of them," said Sybil Knight-Burney, district superintendent. "But what we can't control is people bringing them in." Knight-Burney said the school has torn out carpets in the affected classrooms, has been bagging children's coats and spraying a non-toxic dust to try and contain and control the insects. However, because the tiny bugs are present in the homes of some children, the district cannot totally prevent them from traveling back and forth. The school has been reaching out to families who have the bugs in their homes, to provide what assistance it can — mostly advice. However, because bedbugs are not considered dangerous pests, the district cannot force children to stay home if the bugs are found in their homes.

WILLIAMSPORT SUN-GAZETTE

1st responders recognized for aiding in disasters "We cannot fail. If we fail, people die," Pennsylvania Emergency Management Agency Director Glenn Cannon said during his keynote speech at the 35th annual Lycoming County Department of Public Safety Appreciation dinner Thursday evening. The annual dinner recognizes the men and women who serve the community on a daily basis to keep the public safe. According to Cannon, first responders across the state had a difficult year between hurricanes, tornadoes, flooding and an earthquake. "We saw the worst disaster in this state in the last 39 years and we could have never accomplished all that we did without the help of men and women like you," Cannon said to the crowd. "I commend you for the sacrifice you and your families make, for the meals, birthdays and special events that get put off until a first responder returns home, for the late night calls

you get out of bed for," Cannon added. Cannon, who also is a co-chairman of the local Marcellus Shale Advisory Commission Local Impact and Emergency Response team, thanked members of the Lycoming County Public Safety program for helping him learn about Marcellus Shale. "When I started on that board, it was a learning experience for me. I want to commend Lycoming County for its work in leading the other counties in safety regarding Marcellus Shale events," Cannon said.

ERIE TIMES-NEWS

7,500 pounds of trash gathered from Presque Isle, other Erie sites

POTTSTOWN MERCURY

Letter: Occidental Chemical cleanup has not been completed The Occidental Chemical Superfund site in Lower Pottsgrove is still contaminated with carcinogens and neurotoxins that could cause serious health threats in the future. The site is not cleaned up. The \$2.1 million settlement between EPA and Oxy announced in The Mercury on Jan. 27 will not prevent future health harm from the dangerous contamination left behind, and taxpayers will eventually be on the hook for Oxy's toxic legacy. There has never been full disclosure, much less complete clean-up. EPA failed to fully assess and disclose the extent of contamination, including that reported to ACE by nearby residents and Oxy workers. What could happen to people on or near the Oxy site in years to come? News from upstate New York recently revealed serious nervous system disorders in dozens of teens and adults, including uncontrolled twitching, flailing, and vocal outbursts that are destroying their quality of life. The cause is believed to be a toxic train derailment in the 1970s. Oxy had numerous accidents leading to major toxic spills, including vinyl chloride, a potent neurotoxin. Oxy's contamination also includes TCE, heavy metals, and dioxin. Dioxin was found at levels far higher than Pennsylvania industrial clean-up standards, yet EPA refused to require site-wide dioxin testing, even though incineration and fires took place over decades that can cause dioxin by-products. Unfortunately, EPA failed to fully assess and disclose the extent of other contamination reported to ACE by nearby residents and Oxy workers. Oxy was declared a Superfund site in 1989. In 1993, EPA estimated it would take 100 years to clean up dangerous groundwater contamination, yet after less than 20, EPA and Oxy want us to believe the site is safe for re-use. Groundwater pumping never started until the late 1990s. It has not been protective, repeatedly failing, at times for long periods. Don't be fooled by EPA or Oxy. "Remedial action" does not mean clean-up. Left behind, among other things, are 24 acres of unlined hazardous landfills, partially on the Schuylkill River floodplain. Oxy landfills will continue to contaminate groundwater and the Schuylkill River, especially during heavy rains and flooding.

YORK DAILY RECORD

Our take on gas pipelines in York County Attorneys with Stock & Leader dispensed some good advice to property owners at a public meeting last week about a proposed natural gas pipeline that would likely cut across southern York County... At the very least, landowners in the path of pipelines should make sure they get as much economic benefit as possible in the process. Don't construe this as an advertisement to hire Stock & Leader to represent you in dealings with the pipeline companies. But make darned sure you have some sharp legal eagles looking out for your best interests when the pipeline companies come knocking.

WASHINGTON, D.C.

WASHINGTON POST

O'Malley scales back environmental initiative Maryland Gov. Martin O'Malley scaled back one of his key environmental initiatives on Thursday as lawmakers said it became clear his controversial plan to curb sprawl faced an uncertain future with less than three weeks remaining in the General Assembly session. O'Malley (D) had proposed giving the state power to override some local zoning decisions over new housing developments that rely on septic systems. The governor had said the state needed the authority to ensure it could reduce the waste that leaches from the developments and pollutes the Chesapeake Bay. The governor's plan, however, became a touchstone in a legislative session marked by power struggles between the state and counties over autonomy in school funding,

teacher pension costs and development decisions. On Thursday, O'Malley's Cabinet secretaries for environment, planning and natural resources told a Senate committee they would support stripping out provisions that would have given final authority to the state to decide whether counties were abiding by master plan guidelines. The retreat marked the second time in two years that O'Malley had weakened the proposal to try to win approval from the state legislature, which is controlled by Democrats.

Report: Water shortages increasingly will offer new weapons for states, terror groups Fresh-water shortages and more droughts and floods will increase the likelihood that water will be used as a weapon between states or to further terrorist aims in key strategic areas, including the Middle East, South Asia and North Africa, a U.S. intelligence assessment released Thursday said. Although "water-related state conflict" is unlikely in the next 10 years, the assessment said, continued shortages after that might begin to affect U.S. national security interests.

Column: Right Turn : Supreme Court smacks down Obama's EPA Yesterday, the Supreme Court, in a 9-0 decision, slapped down President Obama's Environmental Protection Agency's arrogant denial of property owners' right to contest in court the EPA's administrative abuses. It was a revealing decision — about the Obama administration, more than the court. In this administration, the 9-0 Supreme Court decisions highlight the degree to which the president's policies are far outside the mainstream, both legal and political. If you can get Justices Ruth Bader Ginsburg and Antonin Scalia to agree that the government has overstepped its bounds, you know that the administration's disregard of constitutional and statutory boundaries is as egregious as it is obvious. Last February, the Supreme Court in a 9-0 decision smacked down the administration for disregarding the ministerial exception and empowering the Equal Employment Opportunity Commission to challenge churches' and synagogues' decisions to fire their religious leaders. Not only was this a remarkable disregard for constitutional precedent, but it also was a window into the administration's arrogant disregard of religious liberty, which played out in the Obamacare mandate on contraception.

Federal Diary Column: Lawmakers weigh Obama's reorganization plan With all the talk about duplication, consolidation and reorganization, Wednesday's Senate hearing could have been a planning session for a movement of small-government zealots. In a way, it was. Participants on all sides of the issue at the Homeland Security and Governmental Affairs Committee session supported cutting government. How to get there is the issue. One way, favored by President Obama, is the Reforming and Consolidating Government Act of 2012, which would increase his power to reorganize government. "This proposal reinstates the government reorganization authority that past presidents relied on from 1932 to 1984," said Sen. Joseph I. Lieberman (I-Conn.), who introduced the bill along with Sen. Mark R. Warner (D-Va.).

Supreme Court allows Idaho couple to challenge EPA on wetlands ruling The Supreme Court on Wednesday unanimously ruled for an Idaho couple who have been in a four-year battle with the Environmental Protection Agency over the government's claim that the land on which they plan to build a home contains sensitive wetlands. The decision allows Mike and Chantell Sackett to go to court to challenge the agency's order. More broadly, it gives landowners and businesses a tool to fight the approximately 1,500 administrative compliance orders that the EPA issues each year to try to force an immediate halt to what the agency considers environmental damage. The government had taken the position that such orders were not open to judicial review until the agency took final action. But the court disagreed. There is no reason to think that the Clean Water Act was uniquely designed to enable the strong-arming of regulated parties into 'voluntary compliance' without the opportunity for review — even judicial review of the question [of] whether the regulated party is within the EPA's jurisdiction," Justice Antonin Scalia wrote.

DELAWARE

DELAWARE CAPE GAZETTE

Ditches cover majority of Sussex County Georgetown — Sussex County is drained by a patchwork of thousands of miles of ditches, but not all ditches are alike. There are 136 tax ditches that total more than 1,200 miles and drain more than 40 percent of the county. But there are many more miles of public ditches — at least five times as many — said Brooks Cahall, an environmental manager with the Delaware Department of Natural Resources and Environmental Control drainage section. Even with all these ditches some areas — mostly in eastern Sussex — continue to flood during storms. Most tax ditches are located in northwestern and southern Sussex. When the county was inundated with rain and snow during the winter of 2009 and 2010, most areas with tax ditches did not flood, said Bill Vanderwende, president of the Sussex Conservation District board of supervisors. Many other sections of the county were not that fortunate. During a presentation to Sussex County Council, Debbie Absher of the conservation district, said since 2007 more than 1,000 drainage complaints from Sussex residents have been recorded, which equates to one drainage concern for every 131 parcels in the county. Even during the recent dry period over the past year, more than 100 complaints have been received.

WEST VIRGINIA

CHARLESTON GAZETTE

Gas drilling needs to improve, Chesapeake official says CHARLESTON, W.Va. -- The natural gas industry needs to keep working to reduce the on-the-ground impacts of the Marcellus Shale drilling boom in West Virginia's Northern Panhandle, a top official from Chesapeake Energy said Thursday. "With natural gas, everybody likes the blue flame," Chesapeake vice president Scott Rotruck told a business conference in Charleston. "Making it can be problematic. Nobody likes that part. "I can tell you this: The sausage-making will get better and better and better." Rotruck was among the speakers at the close of a two-day conference the West Virginia Manufacturers Association sponsored to promote the prospect of landing a cracker plant and "downstream" facilities that would turn natural gas wastes into marketable products. West Virginia political leaders and business boosters continue to push the idea, despite last week's announcement that Shell Chemical had picked a site in western Pennsylvania for further study as a potential cracker plant location. Rotruck said he believes Gov. Earl Ray Tomblin and other state officials did everything they could to land the Shell facility, and that West Virginia is well positioned to secure one of several other similar projects being considered by other companies. Oklahoma City-based Chesapeake itself has had an up-and-down relationship with West Virginia. Four years ago, the company dropped plans for an eastern regional headquarters in Charleston after a Roane County jury awarded \$400 million to land and mineral owners who sued alleging Chesapeake cheated them on gas royalties. Some state officials worried their efforts to land a cracker plant would be harmed by Chesapeake's agreement last year to a long-term contract to ship ethane from its wells to the Texas Gulf Coast.

DNR biologist works to restore walleye ATHENS, Ohio -- Someday, when West Virginians catch really big walleyes, they'll have a woman working alone in a science lab to thank. Her name is Katie Zipfel. Without her, fish hatchery workers wouldn't be able to tell one walleye from another -- and state fisheries officials wouldn't be on track to restore several Mountain State trophy walleye fisheries to their past glory. Zipfel, a Division of Natural Resources fisheries biologist, is the agency's resident expert on walleye genetics. With some scientific sleight-of-hand and a dash of laboratory legerdemain, she can tell a Lake Erie fish from a native West Virginia fish. "We look for genetic 'markers' that are unique to different strains of walleye," she explained. "Those markers allow us to tell one strain from another. The process involves five separate steps, and they all take time. Sometimes it feels like I'm pipetting my days away, but I absolutely love it."

Blog: All of the above: Obama doesn't mention coal President Obama gave three major speeches this week about energy policy, all part of an energy tour that finished up today with this: *Standing in front of a row of pipes, President Barack Obama pledged on Thursday to accelerate approval for part of the Keystone XL pipeline, seeking to deflect criticism that his rejection of the full project helped create a climate for high gasoline prices*

CHARLESTON DAILY MAIL

Editorial: Supreme Court rules 9-0 against the EPA Mike and Chantell Sackett paid \$23,000 in 2005 for a 0.63-acre lot near Priest Lake in Idaho's panhandle. Their dream was to build a home on the land. The U.S. Environmental Protection Agency turned their dream into a nightmare in 2007. Someone in the bureaucracy ruled that the land was a wetland and the Sacketts must not build the home of their dreams. They faced fines of up to \$75,000 a day under the Clean Water Act. The EPA allowed no appeal, taking the position that its orders are not open to judicial review until the agency takes final action. And when the Sacketts took the EPA to court, the agency fought back. The 9th Circuit Court of Appeals sided with the EPA. The Sacketts appealed. This week, the U.S. Supreme Court voted unanimously to uphold the Constitution, giving American property owners some slight protection from EPA employees. "There is no reason to think that the Clean Water Act was uniquely designed to enable the strong-arming of regulated parties into 'voluntary compliance' without the opportunity for review — even judicial review — of the question (of) whether the regulated party is within the EPA's jurisdiction," Justice Antonin Scalia wrote. "The reach of the Clean Water Act is notoriously unclear," Justice Sam Alito wrote in a concurring opinion. "Any piece of land that is wet at least part of the year is in danger of being classified by EPA employees as wetlands covered by the act, and according to the federal government, if property owners begin to construct a home on a lot that the agency thinks possesses the requisite wetness, the property owners are at the agency's mercy."

Trash bag program survives budget ax CHARLESTON, W.Va. - Charleston's popular trash bag giveaway program survived the budget process Thursday night. An amendment eliminating the program was soundly defeated as city leaders approved the \$84.1 million 2012-2013 budget. Councilman Marc Weintraub, 11th Ward Democrat, offered an amendment that would have eliminated a \$350,000 line item to buy trash bags for city residents. The bags are handed out en masse every fall. Weintraub's amendment would have put the money in the city's stabilization fund instead. The city has not budgeted any contributions to the stabilization fund during the upcoming fiscal year. Weintraub also said Charleston was one of the only cities in the country that gave away trash bags to citizens. "I think it's wasteful spending," Weintraub said. An overwhelming majority of council disagreed. The amendment was defeated by a vote of 24 to 3. Chris Dodrill, at-large Republican, and Courtney Persinger, 15th Ward Republican, voted in favor of the amendment. The Rev. James Ealy, a Democrat from the West Side's 4th Ward, was not present. Councilman Jerry Ware, at-large Democrat, said he strongly opposed the amendment. His father worked for the refuse department when the program was initiated during the strike of 1972.

'Green' conference will feature financing, efficiency discussions The agenda for a "Shades of Green Conference" scheduled in Charleston on Tuesday will feature panel discussions ranging from financing options for making a business more environmentally friendly to available energy-efficiency incentives. The conference will be from 8:30 a.m. to 2 p.m. at Embassy Suites. Financing options panelists will be Joe Brouse, a commercial lender with the Natural Capital Investment Fund; Lisa Mitchell of Mountainview Solar, who will discuss creative financing for solar power; and Mark Morton of the West Virginia Tax Department, who will discuss tax credits for alternative vehicles and infrastructure. Energy-efficiency panelists will be Jim Fawcett, manager of energy efficiency and consumer programs at Appalachian Power Co., Lucas Cade, program manager of energy efficiency at First Energy, and Kelly Bragg, energy development specialist with the West Virginia Division of Energy.

BLUEFIELD DAILY TELEGRAPH

AEP notifies organizations about plans to retire power plants GLEN LYN, Va. — The reality of snuffing out several antiquated coal-fired power plants moved a step closer to reality on Thursday with American Electric Power issuing formal notification of the plan to retire 4,600 megawatts of power to comply with Environmental Protection Agency regulations. "We continue to have serious concerns about the potential impact these plant retirements — and retirements of generation announced by other utilities — will have on the reliability of the electricity grid," Nicholas K. Akins, AEP president and chief executive officer was quoted in an AEP press release as stating. "Our retiring units were required to run to meet peak demand last summer and little new generation is scheduled to come on line prior to the retirement dates to replace the lost generating capacity." AEP needed to retire more than 4,600 megawatts of coal-fired power to comply with EPA regulations. In addition, AEP was required to announce the plant retirements before PJM Interconnection's auction in May that will set electric generation capacity prices from June

2015 through May 2016. AEP's Glen Lyn plant is among a group of several power plants scheduled to be retired on June 1, 2015, but AEP will start retiring coal-fired plants as early as Dec. 31, when it retires the Conesville 3, plant in Conesville, Ohio. AEP has already retired the 450-megawatt Sporn Plant in February.

WEST VIRGINIA STATE JOURNAL

Region looks to open the ethane bottleneck Shell Chemicals' March 15 announcement that it would study a western Pennsylvania site for its ethane cracker is only the most eagerly anticipated solution to the upper Ohio Valley's ethane bottleneck. That bottleneck — no local cracker, no way to get to a distant cracker — has forced increasing amounts of valuable ethane through pipelines to residential, commercial and industrial users as if it were methane. But while the region has awaited the Shell announcement with bated breath, much has come into place with less fanfare. Pipelines to carry ethane away toward markets in the Gulf of Mexico, in Canada and possibly in Europe have been in planning over the past couple of years. And as those plans have firmed up, midstream companies that transport and process gas have prepared to isolate ethane from the gas stream and to transport it as needed within the region. Creating the region-wide industrial infrastructure that will loosen the ethane bottleneck in the Marcellus and emerging Utica shales is an incremental process.

ASSOCIATED PRESS (W. Va.)

Ag. chief hopefuls: Feds threaten W.Va. farms MORGANTOWN, W.Va. -- Seven candidates who want to be the first new commissioner of agriculture in two decades agreed at a forum Thursday on the biggest threats facing the state's small industry: overregulation by federal agencies, the loss of future generations of farmers and the need to grow bigger, more lucrative markets for West Virginia products. Five Democrats are on the ballot for the May 8 primary, one of the few contested statewide races. ... All the candidates rated the U.S. Environmental Protection Agency as a top threat, increasingly using provisions of the Clean Water Act to crack down on agricultural pollution. Last fall, it ordered four farms to stop polluting local streams and obtain discharge permits. Three were in the Hardy County towns of Moorefield, Mathias and Old Fields, while the fourth was in Pendleton County's Fort Seybert.

3 W.Va. counties declared disaster areas Three West Virginia counties have been declared federal disaster areas due to damage caused by recent severe storms. The March 15 storms caused flooding, mudslides and landslides in Logan, Lincoln and Mingo counties. U.S Rep. Nick Rahall says the declaration makes individuals and households in Logan County eligible for federal disaster funds. Logan, Lincoln and Mingo counties are eligible for federal aid for emergency work and to repair or replace damaged facilities. Rahall announced the funding late Thursday night in a news release.

MARYLAND

BALTIMORE SUN

Contaminant search limited around Sparrows Point A federal judge signed off on a deal between government regulators and the owner of the Sparrows Point steel plant requiring the company only to look near its shoreline for toxic contaminants it might need to clean up.

U.S. District Court Judge J. Frederick Motz accepted an agreement between RG Steel and the Environmental Protection Agency and Maryland Department of the Environment on how far into surrounding waters the company needs to look for contamination that leaked or seeped from its operations on the 2,300-acre peninsula. The pact says the company will sample sediments "near-shore," generally within 50 feet of the water's edge. The judge's order, signed last week, effectively ended a lengthy dispute between the environmental agencies and the steel company over the extent of its legal responsibility for locating and cleaning up pollution from more than a century of steel-making at the complex in Baltimore's outer harbor. But it came over the objections of environmentalists, who pointed out that years of repeated studies have found extensive contamination on two sides of Sparrows Point, in the

bottom sediments of both the Patapsco River and Bear Creek bordering Dundalk. Lawyers for the Chesapeake Bay Foundation and Baltimore Harbor Waterkeeper contended that near-shore sampling didn't go out far enough or deep enough to detect pollution from the plant.

Maryland watershed one of most polluted in nation Nearly all of the toxic pollutants in Maryland's waterways come from the watershed that enters the Chesapeake Bay near Baltimore, according to a report released Thursday by an environmental watchdog group. The Gunpowder-Patapsco Watershed, which stretches above the Maryland-Pennsylvania border and as far west as Mount Airy, had more than 1.3 million pounds of toxins dumped into it during 2010, the nonprofit group Environment Maryland concluded. That's 98 percent of the chemicals released into the state's waterways that year, the report said. The watershed is the 43rd most polluted in the country. Curtis Creek, south of Brooklyn along the border of Baltimore and Anne Arundel County, received the vast majority of those pollutants, the group's study said. About 922,000 pounds of chemicals were released into the creek, which feeds into Curtis Bay. The report, which has a national scope, said that 26 million pounds of chemicals find their way into the 1,400 U.S. waterways during 2010. The chemicals, which have been linked to cancer, developmental and reproductive disorders, include mercury, arsenic and benzene. Environment Maryland analyzed data from the U.S. Environmental Protection Agency's Toxic Release Inventory for 2010. It is the most recent data available, Environment Maryland said...

SALISBURY DAILY TIMES

Baltimore source of most toxic releases BALTIMORE — A new report says industrial facilities dumped 1.4 million pounds of toxic chemicals into Maryland waterways in 2010, mostly in the Baltimore area. The report was released Thursday by Environment Maryland, which said it obtained the figures from Environmental Protection Agency reports. The report says 98 percent of the releases were in the Baltimore area, particularly Curtis Creek on the Baltimore-Anne Arundel County border. The chemicals include arsenic, mercury and benzene, which the environmental group says have been linked to cancer and developmental and reproductive disorders. The report calls on industrial facilities to switch to safer alternatives and for tougher permitting and enforcement by federal and state environmental regulators.

FREDERICK NEWS-POST

Army scraps plans for new lab building at Detrick The Army is scrapping plans to build a high-security animal research laboratory to help speed U.S. Food and Drug Administration approval for bio-defense drugs and vaccines at Fort Detrick, saying it will now roll the program into a facility already under construction at the post. Fort Detrick officials said Wednesday that demand was not high enough after it performed a need-based study on whether to construct the building, called the Medical Countermeasures Test and Evaluation Center. While the center's mission will not change, it will now be transferred from the U.S. Army Medical Materiel Development Activity to the U.S. Army Medical Research Institute for Infectious Diseases, which has new labs already under construction on the post with a completion date set for 2014, USAMMDA program manager Kathleen Berst said Wednesday. "We're really expanding the mission within that facility so it's no new construction, it's no expansion to that facility," Berst said. The federal government fast-tracked the building, announced in August 2010, because advanced research testing space was needed to ease a backlog of FDA applications related to diseases that cannot be tested on humans -- called the "animal rule" -- including Ebola and Marburg. At the time, officials said the country lacked enough research space to keep countermeasures for Ebola, anthrax, the plague and other illnesses moving toward licensure.

SOUTHERN MARYLAND NEWSPAPERS

Controversial Septic System Controls Headed for Heavy Senate Debate ANNAPOLIS -- Gov. Martin O'Malley's controversial bill to control septic systems was brought to the Senate floor Tuesday, with opponents planning to offer a series of amendments. The Senate Education, Health and Environmental Affairs Committee approved the 33-page legislation Friday on a 7-4 vote, with Sen. Ed Reilly, R-Anne Arundel, calling it a move to "centralized planning." "I anticipate there will be a dozen or so amendments," said Sen. Paul Pinsky, D-Prince George's, the sponsor of the bill, who admitted the bill is "complicated." The proposal was conceived on the recommendations of the governor's Task Force on Sustainable Growth and Wastewater Disposal -- established a year ago to address the impact of septic

systems on land preservation and the environment – and to help meet federal guidelines to reduce nutrient runoff into the Chesapeake Bay by 2020. If passed, the bill would require local governments to adopt a four-tiered system for septic use in residential development by Dec. 1, 2012. The bill would prohibit the Maryland Department of the Environment from issuing permits for major subdivisions served by septic systems, community sewage systems, or shared systems unless the local governments have adopted the four-tiered designations that define “minor” and “major” subdivisions in their local jurisdictions. Pinsky said 22 of the 24 jurisdictions have already adopted the definitions for subdivisions. A “minor subdivision” is defined as five to seven lots or less under the bill. The bill only applies to residential subdivisions and does not apply to areas that have already been approved for septic. Tier-one areas are served by local water and sewer systems and are not designated growth areas under the bill. “They already have the infrastructure,” Pinsky said. Tier-two growth areas are planned where water and sewer will be extended from existing municipal water systems. Tier three is a mix of areas that prohibit septic use and areas that allow major subdivisions on septic.

“These areas are not designated for sewer services and are not dominated by agricultural or forest land” and may include a municipality not served by public sewer, Pinsky said.

EASTON STAR DEMOCRAT

Pipkin's Bay Bridge proposal approved by Senate committee ANNAPOLIS - The state Senate Finance Committee moved forward Wednesday a proposal to study the feasibility of a third bridge span crossing the Chesapeake Bay. The associated bill is sponsored by Senate Minority Leader E.J. Pipkin, R-36-Upper Shore, who was pleased with the news his proposal received a favorable report by the Finance Committee, of which he is a member. The bill still requires full General Assembly approval and the governor's signature. The bill does not mean a third span will be built for the William Preston Lane Jr. Memorial (Bay) Bridge, or that another bridge will be built across the Bay. It only requires the state to prepare an environmental impact statement as required by the National Environmental Policy Act for a new bridge.

ASSOCIATED PRESS (Md.)

Judge approves Sparrows Point monitoring agreement The Chesapeake Bay Foundation says it hasn't decided whether to appeal a federal judge's approval of an agreement between the owners of the Sparrows Point steel plant and environmental regulators over monitoring of the site for toxic contaminants. U.S. District Judge J. Frederick Motz approved the agreement last week between RG Steel and federal and state regulators. The agreement ends a lengthy dispute over monitoring at the mill outside Baltimore. Under the agreement, the company is required to sample sediments no more than 50 feet offshore. Environmentalists have argued contaminants have been found much further offshore. The judge ruled last year a prior owner wasn't responsible for pollution before Bethlehem Steel's 2003 bankruptcy sale of the mill, but current owners could be required to study offshore pollution.

VIRGINIA

LYNCHBURG NEWS AND ADVANCE

Land conservancy to hold meeting for Amherst landowners The Central Virginia Land Conservancy will hold an informational meeting for Amherst County landowners interested in conserving their land at 7 p.m. Thursday, March 29 at the Amherst Library on Main Street. Experts will be on hand to answer questions about conservation easements, which allow a landowner to preserve their land and receive several tax benefits. The meeting is free and refreshments will be served. A similar meeting will be held in Nelson County on April 12. The meetings are made possible by grant funding from the Chesapeake Bay Restoration Advisory Committee from the sale of Chesapeake Bay license plates.

FREDERICKSBURG FREELANCE STAR

Corps of Engineers again looking at Rappahannock's silt problem The U.S. Army Corps of Engineers will take another look at the problem of silt that has clogged parts of the Rappahannock River along the Fredericksburg shore. It's the latest in a series of studies to address concerns by city officials, environmental groups and some residents that the silt—in addition to hindering navigation—is affecting habitat and the river's forested buffer, and may make flooding worse. "This [study] will be taking a look at the river sediments, ecosystem restoration, aquatic habitat restoration and riparian buffer creation," said Doug Martin, project manager for the Corps of Engineers' Norfolk District. The agency is trying to wrap up negotiations with Fredericksburg on the scope and cost of the study. The city, Martin said, will share in the cost, with part of its contribution as in-kind services. Martin said the details are still being worked out. The study has been allocated \$191,000 in the federal budget. "We hope to have an agreement signed in the near future," Martin said, "hopefully by this summer, if not sooner. I know the city is anxious to get this under way." In a letter to the Corps of Engineers last spring, City Manager Beverly Cameron asked the agency to study the impacts of the silt buildup on flood levels, navigation and the river ecosystem, along with the feasibility of dredging or a stream restoration project.

CHARLOTTESVILLE DAILY PROGRESS

Commentary: Other side of uranium controversy Criticism from this newspaper and others about the McDonnell administration's decision to shield a uranium mining study group's efforts from full public view ("Public has right to know about mining," March 15) apparently struck some sort of nerve, leading to a conference call this week with members of editorial boards and representatives of the administration. Having been among the critics, we consider it only fair to present the side of the administration, whose spokespeople wanted to emphasize not how much information was being concealed, but rather how much was being made available; and why some concealment was deemed necessary. The uranium working group was launched because a commissioned report from the National Academy of Sciences on the safety of uranium mining in Virginia failed to answer significant safety questions. The academy could only point out the inherent risks in mining in Virginia, noting that the terrain and climate here are so different from other sites where the radioactive mineral is mined that no precedent exists for determining whether uranium mining here is safe or not. For instance: Other mines exist in remote locations in dry climates; how can Virginia ensure that mining uranium in a wet climate can be done without contaminating the water table?

Group: Suit to stop dam in works (Wednesday) A new group calling itself the Charlottesville Open Government Alliance said a lawsuit will be filed Friday against the Rivanna Water & Sewer Authority and others seeking to stop construction of a new earthen dam at the Ragged Mountain Reservoir. The lawsuit will argue that the City Council broke Virginia law when it voted 3-2 on Jan. 17 on a final approval of the plan. "The Ragged Mountain dam scheme ... sells public property and the rights to our water works without the benefit of a referendum or supermajority vote as the City Charter or Code and Virginia Constitution require," reads a news release issued Wednesday by former City Council candidate Bob Fenwick. Joanna Salidis has registered the organization's new website at www.cvillealliance.com. Both Fenwick and Salidis also worked with Citizens for a Sustainable Water Plan in its five-year battle against the dam. On Tuesday, when the RWSA announced the contract for the dam's construction had been awarded, that group's chair, Rebecca Quinn, said it would not be filing a lawsuit.

ASSOCIATED PRESS (Va.)

Report: Toxic chemicals flowing into Va. waters DUBLIN -- An environmental group says Virginia is second only to Indiana in the amount of toxic chemicals dumped in state waterways. Environment Virginia released a report showing that more than 18 million pounds of toxic chemicals were released into state lakes, rivers and streams in 2010, the latest numbers available. The group based Thursday's report on toxic chemical releases tallied by the Environmental Protection Agency. Environment Virginia said the New River tops every other waterway in the state, with 12 million pounds of pollution entering the river annually. The group said most of that is from the Radford Army Ammunition Plant in Dublin. More than 1.1 million pounds were discharged into the James River and more than 370,000 pounds were dumped into the Shenandoah River.

MISCELLANEOUS

AMERICAN RIVERS

Column: Green to Go Green for Clean Water in the Chesapeake My office sits near the bank of the Susquehanna River in central Pennsylvania, so it was a treat to leave the office several days ago to travel downstream to where this 464 mile long river flows into the Chesapeake Bay at Harve de Grace, Maryland. I was there to attend an announcement of \$4 million in new federal funding for local governments to use for green infrastructure, like green roofs, parks, and green streets, for cleaner water to help meet pollution reduction goals. My colleagues from the Susquehanna Greenway Partnership and I were greeted by Mayor Dougherty who grew up fishing and boating at Harve de Grace, but sadly watched the Bay decline in health. Today, the mayor is inspired by a slow return to a healthier Bay that is reinvigorating life in Harve de Grace. My Susquehanna Greenway Partnership colleagues and I have each worked toward Bay clean-up over the course of the last 30 years. For us it was refreshing to know investments will be made through this new initiative to promote cost effective green infrastructure projects throughout the Bay. American Rivers recently commissioned a report that shows that in just one Maryland County, the estimated present value of the multiple benefits of green infrastructure (e.g. reduced flooding, cleaner water, energy savings) over 50 years is up to \$350 million. That's a good investment.

BNA DAILY ENVIRONMENT REPORT

EPA's Jackson Concerned Over Cuts in Republican Budget Plan EPA Administrator Jackson tells a Senate hearing she would be "very concerned" about the agency's ability to protect human health under the fiscal year 2013 budget proposed by House Budget Committee Chairman Ryan. Appearing before the Environment and Public Works Committee, Jackson says that although EPA has not yet done a full analysis of the Ryan budget, the agency already has taken "painful cuts" in President Obama's fiscal 2013 budget request. The \$3.53 trillion Ryan budget includes significant cuts, including an approximately \$3.5 billion reduction in spending on environment and natural resources programs.

Draft House Bill Targets Cost of EPA Air Pollution Regulations A House Energy and Commerce subcommittee chairman floats a proposal to direct the Obama administration to analyze whether EPA air pollutant rules will raise fuel prices. The draft Gasoline Regulations Act of 2012, authored by Rep. Whitfield, who chairs the Subcommittee on Energy and Power, also would require EPA to "take into consideration" costs and the feasibility of industry compliance in any revision of air quality standards for ozone under the Clean Air Act.

Intelligence Report Says Water Shortages Could Pose Security Threat Over the next three decades, worldwide supplies of clean water are unlikely to keep up with demand, potentially leading to economic instability, food shortages, and terrorism risks as countries seek to gain regional leverage, according to a U.S. intelligence assessment. The assessment, Global Water Security, prepared by the National Intelligence Council, concludes that water-related state-on-state conflict is unlikely in the next decade, but water problems will contribute to instability in states important to U.S. security interests.

3.1 Million Workers Held Green Jobs in 2010, Labor Department Finds More than 3.1 million workers held jobs associated with the production of green goods and services in 2010, accounting for 2.4 percent of total U.S. employment, the Department of Labor's Bureau of Labor Statistics says. Of the total, 2.3 million green jobs were in the private sector, or 2.1 percent of total business employment, and 860,000 jobs were in government, or 4.0 percent of public sector employment. The agency's report provides the first snapshot of employment in a newly emerging sector of the economy as part of a new program that will regularly release figures on environmentally beneficial jobs starting later this year.

Water Utilities Urge EPA to Consider Variances for Arsenic Standard EPA should consider allowing small water utilities that cannot afford to meet the current standard for arsenic to use variance technologies, a Maryland utility manager says during a webinar to discuss technology and affordability issues in removing arsenic from drinking

water. If a utility cannot afford to comply with regulations through conventional treatment, EPA can allow the system to install affordable small-system technology, George Hanson, general manager of the Chesapeake Water Association, says. To date, however, EPA has not granted any variances, he says. Hanson is a member of the Arsenic Public Water System Compliance and Alternative Affordability Criteria Work Group

REUTERS

EPA says considering gasoline waiver in Pennsylvania The Environmental Protection Agency is mulling waiving clean gasoline requirements in western Pennsylvania to help ease a potential fuel shortage caused by the closure of two area refineries, an agency source said on Thursday. The agency is working with Pennsylvania and the Department of Energy on potential waivers if they are needed and if the state asks for them, the source said. Pennsylvania has not yet officially asked for the waiver. But Gov. Tom Corbett may do so in the summer, according to a letter from the state's Department of Environmental Protection head Michael Krancer to the EPA and obtained by Reuters. The letter was dated March 20. The EPA has discussed with state regulators allowing the use of reformulated gasoline, or RFG, in western Pennsylvania in place of low Reid Vapor Pressure gasoline, which is in short supply after the closure of two of three Philadelphia-area refineries area last year, the letter showed. "Our flexibility to use low RVP gasoline and/or RFG will go a long way ... and would serve the best interests of the citizens of western Pennsylvania," said Krancer's letter. On Friday, U.S. Senator Bob Casey of Pennsylvania asked the EPA to consider granting a temporary waiver for Pennsylvania for summer blend gasoline requirements, which would ease supply constraints and moderate sky rocketing retail gasoline prices.

ASSOCIATED PRESS

Environmentalists puzzled by GOP efforts to cast Obama as overzealous on their issues NEW YORK — Mitt Romney says President Barack Obama blocked construction of the Keystone XL oil pipeline as a gift to environmentalists. Newt Gingrich calls Obama "President Algae" for supporting research on biofuels. And Rick Santorum says Obama's environmental views constitute a "phony theology" that prioritizes the earth over people. The leading Republican presidential hopefuls have cast Obama as environmental extremist whose policies have put him out of touch with the needs of ordinary Americans. It's a characterization that may resonate with GOP primary voters, but it has surprised environmental activists, many of whom say they are let down by Obama's record on their issues. "The environmental movement has been at odds with Barack Obama for much of his three years in the White House," said Bill McKibben, founder of the environmental group 350.org. "The president is very much in the center — far too much in the center for many environmentalists." As a candidate, Obama's pledge to limit the gases that contribute to global warming and embrace cleaner forms of energy pleased many environmental activists. But nearing the end of his first term, Obama's record on the environment is mixed — and many of his decisions have irked the very activists who Republicans suggest have broad sway over administration policies. "Absolutely, he has been a disappointment," said Frank O'Donnell, president of the environmental group Clean Air Watch. "When Obama was elected, I think public health and environmental advocates thought a number of unresolved problems would be dealt in short order. And we learned that environmental protection did not prove to be a first-tier activity for the White House."

Beekeepers, environmentalists ask EPA to suspend use of pesticide that may be harmful to bees FRESNO, Calif. — Commercial beekeepers and environmental organizations filed a petition Wednesday, asking federal regulators to suspend use of a pesticide they say harms honeybees. The group is urging the U.S. Environmental Protection Agency to ban the insecticide clothianidin, one of a class of chemicals that act on the central nervous system of insects. Over 1.25 million people also submitted comments in partnership with the organizations, calling on EPA to take action. Beekeepers and some scientists say the chemicals known as neonicotinoids are lethal to bees and weaken their immune systems, making them more susceptible to pathogens. They say it could contribute to colony collapse disorder, in which all the adult honey bees in a colony suddenly disappear or die. The disorder continues to decimate hives in the U.S. and overseas. Since it was recognized in 2006, the disease has destroyed colonies at a rate of about 30 percent a year, according to the U.S. Department of Agriculture. Before that, losses were about 15 percent a year from a variety of pests and diseases.

Electric cars risk losing green sheen in Japan as meltdowns highlight nuclear power risks TOKYO — Electric car owners who prided themselves on being green now find themselves in a bind as Japan's government maneuvers to restart dozens of nuclear power plants idled after last year's meltdowns. For decades, nuclear generation has been a crucial source of power here, but the tsunami-triggered meltdowns at the Fukushima Dai-ichi plant have spurred a national debate over how to supply Japan's electricity in the future.